

May 18, 2021

Dear Presiding Officer Evans and SEC Subcommittee Members,

Thank you for including the failure of Antrim Wind's (AWE) nighttime lighting (ADLS) on the agenda for Friday's public meeting. This issue has been raised on numerous occasions yet the SEC Committee has failed to even discuss it until now. This nighttime lighting issue has plagued the project from the early days of the project's construction, when the turbine towers were being erected without meeting proper FAA lighting requirements, through the initial and current operation of the facility. Antrim Wind was permitted with the Condition of radar activated lighting system (ADLS) to minimize nighttime lighting impacts. During the SEC permit review and deliberations, the SEC Committee NEVER reviewed the visual impacts of the nighttime lighting (as highlighted within deliberation below) since AWE had committed to using ADLS and convinced the Committee this would negate any nighttime lighting impacts.

SEC Committee ADLS Deliberation:

To provide some background, here is an excerpt from the Antrim Wind SEC Deliberations: [AWE Transcript dated 12/12/2016 AM](#) Excerpt below is SEC Committee deliberation from Page 108-110 {emphasis added}, full deliberation is from Page 88-110:

WEATHERSBY: Just one final point. In their post -- in their final brief, ***the Applicant indicates that they "virtually eliminated any nighttime visual effect through its commitment to employ an aircraft detection lighting system. The Applicant will employ ADLS and is currently waiting for the FAA to approve its application in order to install this technology."***

CLIFFORD: So, then, my sense then would be more towards "well, let's hold them to what they put in the brief." If that's what you just quoted, then that's what they said they're going to do. You know, we're going to not hold them to their word? ***They put it in writing and they gave it to us.*** So, that's good enough for me.

PRESIDING OFCR. SCOTT: So, what did you just say? So, are you –

CLIFFORD: I'm leaning towards put it in, because that's, you know, put it in or come back here and then get the waiver. Because I really think that that, you know, all things said, ***that was a key component and key driver of this Project, and why the nighttime visual effects were never analyzed and dealt with period. And that, it seems to me, just to gloss over that would really we'd kind of do a disservice, because that would be a huge gaping hole in what the process that we just did if it never came to fruition.*** But, if it doesn't come to fruition, at least we would know about it and there would be, you know, some logical approach to understanding what the effects are.

PRESIDING OFCR. SCOTT: And, again, that kind of echoes my concern, is, ***when we looked at aesthetics, the evaluations, and I'm not doubting for a moment the Applicant's commitment here, but it was all "don't worry", I'm very much paraphrasing, "this system will be in place."***

So, my concern is, "okay, if it never gets approved or it's not in place, what does that mean?" It's almost as if it's really not the Application at that point. The Application assures that this will be in place. So, that was my concern.

AWE Site and Certificate Condition:

The AWE Site and Certificate specifically states the ADLS must be functioning for operation of the facility ([SEC Decision and Order, March 17, 2017 at 156](#)) {emphasis added}:

(2) Subcommittee Deliberations

The Subcommittee finds that the light associated with operation of the Project **will not** have an unreasonable adverse effect on health and safety if the Project will be equipped with the ADLS. In reaching this conclusion, the Subcommittee considered that the Project's lights will be radar operated, to secure their safe operation, and the Applicant will have to receive prior approval from the FAA for the installation of the ADLS. The Subcommittee also considered that it did not receive any reports, or scientific evidence that would verify that the Project's lighting will have an unreasonable adverse effect on human health. The Subcommittee finds that the ADLS shall be installed prior to the operation of the Project. Furthermore, the Applicant is required to file, with the Administrator of the Committee, the FAA determination of no hazard pertaining to ADLS upon its receipt. Subject to the aforementioned conditions, the Subcommittee finds that the Project's lighting will not have an unreasonable adverse effect on health, safety or aesthetics of the region. Tr. 12/07/16, Afternoon Session at 52-54; 12/12/16, Morning Session at 88-90

The neighbors to Antrim Wind raised concern with the failure of the ADLS system in February 2020, which was soon after the facility went into Operation ([email chain](#)). SEC Admin Pam Monroe was fully aware of the issue yet claimed the issue was resolved rather than convene a meeting of the SEC Committee to discuss the permit violation. This issue has been raised many times ([here](#), [here](#), [here](#) and [here](#)) with no consideration of the impact by the SEC.

Since the Antrim Wind facility has gone into operation, Antrim Wind and the ADLS vendor have offered numerous reasons why the ADLS may not be functioning as expected, thereby requiring constant nighttime lighting. While these reasons may be true, it was a material misrepresentation within the Application and deceitful of AWE to have promoted this lighting alternative to the SEC Committee. As highlighted by the Committee's deliberation, the decision to permit the project may have resulted in a DENIAL if the Committee had not been sold on the ADLS as mitigating the potentially unreasonable adverse effect of the nighttime lighting. It appears AWE used ADLS as a way to circumvent a thorough visual analysis of the nighttime lighting impacts, without disclaimers of the many reasons it wouldn't work as promised.

I respectfully ask that you hold Antrim Wind accountable for the Conditions of the Certificate.

Sincerely,

Lori Lerner
Bridgewater NH